

Notice of Allowability

Application No.

09/213,271

Examiner

Walter F Briney III

Applicant(s)

HANDFORTH ET AL.

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 29 July 2004.
2. ☒ The allowed claim(s) is/are 1-8,10,11,13-16 and 18-23.
3. ☒ The drawings filed on 17 December 1998 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 1-8, 10, 11, 13-16, and 18-23 are allowed.

Claims 9, 12, and 17 have been cancelled.

The following is an examiner's statement of reasons for allowance:

The previous examiner had indicated that independent claims 4, 7, 11, and 16 were allowable over the prior art of record. The current examiner maintains this conclusion on patentability.

With respect to independent claim 4, Chen does not teach the specific arrangement of the Zener diode between the source of the FET and the gate of the FET. As a first matter, Chen does not disclose a Zener diode, but a regular diode (16) seen in figure 3. Furthermore, while FETs are physically bidirectional, the biasing arrangement of figure 3 specifies that the anode of the diode (16) is connected to the drain of the FET. Thus, claim 4 is allowable over the prior art of record.

With respect to claim 7, the combination of Hung and Pistilli fails to teach monitoring both for an over-current and over-voltage at the same time such that disconnection between the line circuit and power supply occurs only when an over-current situation is present and an over-voltage situation is not present as indicated in steps b)(1) and b)(2) of the claim. Thus, claim 7 is allowable over the prior art of record.

With respect to claim 11, Hung does not teach detecting an over-voltage condition for the purpose of disconnecting the line circuitry from both the subscriber

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telephone line and the power supply as indicated in step c) of the claim. Thus, claim 11 is allowable over the prior art of record.

Claim 16 includes a similar recitation as to the one discussed in connection with claim 11 above, and is allowable for at least the same reasons over the prior art of record.

With respect to claim 1, the combination of Hung and Pistilli in view of McMillen still fails to make obvious the limitations of the claim. In particular, claim 1 recites that the control means disconnects the power supply from the line circuit in response to the situation wherein an over-current condition is present but an over-voltage condition is not present. Referring to claim 7, this has been shown to be patentably distinct over the combination of Hung and Pistilli. In particular, Hung and Pistilli, at most, teach detecting an over-current condition for the purpose of removing battery voltage for the line circuit's current drivers. McMillen teaches limiting the actuation of a fuse based on abnormalities in the fuse's control circuits power supply. No parallel between this teaching can be drawn to the current collection of references. Claim 1 is allowable over Hung and Pistilli in view of McMillen for at least these reasons, as well as those presented above with respect to claim 7.

Claims 2, 3, 5, 6, 8, 10, 13-15, and 18-23 depend variously on claims 1, 4, 7, 11, and 16, and are allowable for at least the same reasons as their corresponding base claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Walter F Briney III whose telephone number is 703-305-0347. The examiner can normally be reached on M-F 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W Isen can be reached on 703-305-4386. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

WFB
12/7/04

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PRIMARY EXAMINER